

Harrington, Karolyn

From: Blumenfeld, Jared
Sent: Friday, May 02, 2014 7:28 AM
To: Scott, Jeff; Zito, Kelly
Subject: Fw: Malibu Schools Environmental Contamination Case
Attachments: Letter[5].pdf; Seattle Times.pdf; room-2-soil-and-concrete-exposed[4].jpg; photo1[1][5].jpg; MHS_classroom_August_2013-2[3].jpg; Rosenfeld quote[2].pdf; Re- MHS PARENT REQUESTS[3].pdf; PR 020314[3].pdf; The failure of the EPA to protect the public from pollution[3].pdf

Jared Blumenfeld, EPA

From: Stanislaus, Mathy
Sent: Friday, May 2, 2014 5:57:11 AM
To: Blumenfeld, Jared
Cc: Breen, Barry
Subject: Fw: Malibu Schools Environmental Contamination Case
I assume your folks have briefed Boxer's staff?

From: Cami Winikoff
Sent: Thursday, May 1, 2014 7:50:19 PM
To: Stanislaus, Mathy; Breen, Barry
Cc: lisa.pinto@mail.house.gov; Mccarthy, Gina; Blumenfeld, Jared; Kaufman, Hugh; hughbkaufman@comcast.net; Wilson, Patrick; Huetteman, Tom; Armann, Steve; debbie.rafael@dtsc.ca.gov; Thomas.Cota@dtsc.ca.gov; Laura_Schiller@boxer.senate.gov; Senator.Pavley@outreach.senate.ca.gov; sean.macneil@asm.ca.gov; slyon@smmud.org; zev@bos.lacounty.gov; Paula Dinerstein; Jennifer deNicola; Stanislaus, Mathy; snissman@bos.lacounty.gov; eshultz@bos.lacounty.gov; Yvette Martinez; Rafi Nazarians

Subject: Malibu Schools Environmental Contamination Case
Malibu Schools' Environmental Contamination Case

Dear Mr. Stanislaus and Mr. Breen:

We are a community alliance of parents and residents who are deeply concerned about the high levels of PCBs and other contaminants that have been found at the Malibu Middle and High Schools and the Juan Cabrillo Elementary School campus and the lack of effective response by your agency. We are concerned because six teachers at the campus have been diagnosed with various cancers and there are now at least ten teachers who have been diagnosed with thyroid disease. The rate of incidence is far greater than occurs in the general population.

We are dealing with a school district that has not been forthcoming. We have learned that school officials have known that there is a contamination problem on the campus and concealed that fact for many years. The school district has not been interested in discovering the full scope of the contamination on the campus and has been attempting to limit testing for the presence of toxicants. The school district's approach assures that the full scope of the problem will not be identified, let alone addressed.

Specifically, only a small sampling of classrooms has been tested for PCBs. Half of those classrooms were found to have PCB levels in excess of 50 parts per million. Our teachers and students are still now in classrooms with unacceptable levels of PCBs. None of the other classrooms have been tested, even though there is every reason to expect that the contamination is not limited to the ten that were tested.

We are surprised and disappointed that your agency is endorsing the school district's inadequate response. Dr. Paul Rosenfeld, a PCB Superfund and TSCA remediator hired by Malibu Unites who represents the citizens of Malibu, has informed us that EPA Region 9 officials instructed him and the school district not to test any more caulk or dust in the school rooms for PCBs after they started finding levels greater than 50 PPM in the limited areas sampled. There has been no further testing and no remediation five months after the problem has been identified because of your decision to not enforce regulation under the Toxic Substance Control Act.

Because you both are responsible for setting the policy that is being carried out in Region 9, we are urging you to enforce the law in a manner that will assure that the full extent of the contamination is identified and fully remediated. The policy that your agency is currently carrying out at the school leaves our children and their teachers at risk and assures that only a limited, ineffectual response will occur.

The plan that is being submitted by the district's hired remediation company violates TSCA given the excessive levels that have been detected. Instead of remediating, the district is preparing to perform some form of best management practices (BMP), a cleaning protocol that is not scientifically proven to be effective. The district is able to use your current non compliance policy as cover. You must immediately change your policy of non compliance and enforce the law.

If our children and teachers are poisoned we can't un-poison them. We are asking Senator Boxer (chairman of the Senate Environment and Public Works Committee) with full authority from the US Senate over the EPA, to force the EPA to obey the environmental laws for the preservation of the health of her constituents.

We all see the smoke, in the form of the high rate of illnesses that are correlated to exposure to not only PCB contamination, but also the additive exposure to other chemicals that are known to be present on the campus. We are deeply concerned that your agency has adopted a policy that allows it to see some of the smoke without looking for and putting out the fire.

We are talking about the health of our children and their teachers. They are not statistics. We assume that you would not expose your children to the health risks that our children are currently facing. Our kids and their teachers deserve no less consideration in your agency's application of the law.

For these reasons, we are urging you to enforce the law to require testing for PCB sources on the school campus and to require removal and remediation of all contaminants that are found to be at unacceptably high levels. There is nothing more important than providing a safe and healthy environment for our children.

Thank you for your immediate attention.

Cami Winikoff

President

Malibu Community Alliance

cc. Gina McCarthy, EPA Administrator
Jared Blumenfeld, EPA Region IX Administrator
Hugh B. Kaufman, EPA (OSWER)
Dr. Patrick Wilson, Region IX, EPA
Tom Huetteman, Associate Director, Waste Management, US EPA
Steve Armann, Region IX, EPA
Deborah Raphael, director, California DTSC
Tom Cota, California DTSC
Senator Barbara Boxer
Yvette Martinez, CA Deputy State Director and Senior Advisor
Rafi Nazarians, CA Senior Field Representative
State Senator Fran Pavley
State Assemblyman Richard Bloom
Sandra Lyon, SMMUSD Superintendent
LA County Supervisor (3rd District) Zev Yaroslavsky
Paula Dinerstein, PEER
Jennifer deNicola, Malibu Unites
Elan Shultz, Health Deputy, LA County (3rd District)
Susan Nissman, Senior Field Deputy, West Valley Mountain Communities